

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

CASE NO.: 2:25-cv-02975

PATRICK DOUGHERTY,

Plaintiff,

v.

QUARRYVILLE RESORTS LP dba YOGI
BEAR'S JELLYSTONE PARK CAMP-
RESORT OF QUARRYVILLE,
PENNSYLVANIA,

Defendant.

COMPLAINT FOR COPYRIGHT INFRINGEMENT

(INJUNCTIVE RELIEF DEMANDED)

Plaintiff PATRICK DOUGHERTY by and through his undersigned counsel, brings this Complaint against Defendant QUARRYVILLE RESORTS LP dba YOGI BEAR'S JELLYSTONE PARK CAMP-RESORT OF QUARRYVILLE, PENNSYLVANIA for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff PATRICK DOUGHERTY ("Dougherty") brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Dougherty's original copyrighted Work of authorship.

2. Dougherty is a professional photographer based out of Western Chester County, Pennsylvania, who focuses his practice on the outdoors and hiking. Dougherty began his photography career in high school after taking a black and white film class, and has since graduated to shooting with a Canon 80d DSLR camera.

3. Defendant QUARRYVILLE RESORTS LP dba YOGI BEAR’S JELLYSTONE PARK CAMP-RESORT OF QUARRYVILLE, PENNSYLVANIA (“Quarryville Resorts”) is a Warner Bros. licensed entertainment park and camp-resort located in Quarryville, Pennsylvania. At all times relevant herein, Quarryville Resorts owned and operated the website located at the internet URL www.jellystonepa.com (the “Website”).

4. Dougherty alleges that Quarryville Resorts copied Dougherty’s copyrighted Work from the internet in order to advertise, market and promote its business activities. Quarryville Resorts committed the violations alleged in connection with its business for purposes of advertising and promoting sales to the public in the course and scope of the Quarryville Resorts’ business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Quarryville Resorts is subject to personal jurisdiction in Pennsylvania.

8. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Quarryville Resorts engaged in infringement in this district, Quarryville Resorts resides in this district, and Quarryville Resorts is subject to personal jurisdiction in this district.

DEFENDANT

9. Quarryville Resorts LP dba Yogi Bear’s Jellystone Park Camp-Resort of Quarryville, Pennsylvania is a Pennsylvania Limited Partnership, with its principal place of business at 340 Blackburn Road, Quarryville, Pennsylvania, 17566, and can be served by serving

its Registered Agent, CT Corporation System, 600 North Second Street, Suite 401, Harrisburg, PA 17101.

THE COPYRIGHTED WORK AT ISSUE

10. In 2017, Dougherty created the photograph entitled “20170525.IMG_6709-Edit,” which is shown below and referred to herein as the “Work”.



11. Dougherty registered the Work with the Register of Copyrights on October 3, 2023 as part of a group registration. The Group Registration was assigned registration number VA 2-369-397. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. At all relevant times Dougherty was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY QUARRYVILLE RESORTS

13. Quarryville Resorts has never been licensed to use the Work at issue in this action for any purpose.

14. On a date after the Work at issue in this action was created, but prior to the filing of this action, Quarryville Resorts copied the Work.

15. On or about December 26, 2024, Dougherty discovered the unauthorized use of his Work on the Website in a post entitled “The Best Hiking Trails Near Lancaster, PA.”

16. Quarryville Resorts copied Dougherty’s copyrighted Work without Dougherty’s permission.

17. After Quarryville Resorts copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its entertainment park and camp-resort.

18. Quarryville Resorts copied and distributed Dougherty’s copyrighted Work in connection with its business for purposes of advertising and promoting Quarryville Resorts’ business, and in the course and scope of advertising and selling products and services.

19. Quarryville Resorts committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

20. Dougherty never gave Quarryville Resorts permission or authority to copy, distribute or display the Work at issue in this case.

21. Dougherty notified Quarryville Resorts of the allegations set forth herein on February 3, 2025 and February 18, 2025. To date, the parties have failed to resolve this matter.

COUNT I
DIRECT COPYRIGHT INFRINGEMENT

22. Dougherty incorporates the allegations of paragraphs 1 through 21 of this Complaint as if fully set forth herein.

23. Dougherty owns a valid copyright in the Work at issue in this case.

24. Dougherty registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

25. Quarryville Resorts copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Dougherty's authorization in violation of 17 U.S.C. § 501.

26. Quarryville Resorts performed the acts alleged in the course and scope of its business activities.

27. Quarryville Resorts' acts were willful.

28. Dougherty has been damaged.

29. The harm caused to Dougherty has been irreparable.

COUNT II
VICARIOUS COPYRIGHT INFRINGEMENT

30. Dougherty incorporates the allegations of paragraphs 1 through 21 of this Complaint as if fully set forth herein.

31. Upon information and belief, a third party committed copyright infringement when they copied, displayed, and made derivatives of the Work for purposes of promoting its entertainment park and camp-resort.

32. Quarryville Resorts has a direct financial interest in the infringing material because it derives profits from the Website displaying the infringed Work.

33. Despite having the ability to stop the infringed Work from being displayed on its Website, Quarryville Resorts allowed the materials to remain up for display for purposes of generating sales of the infringed Work.

34. To the extent that the actions described above were performed by the third-party alone, Quarryville Resorts is vicariously liable for the unauthorized copying, display, distribution, and creation of derivative works of the Work without Dougherty's authorization in violation of 17 U.S.C. § 501.

35. Dougherty has been damaged.

36. The harm caused to Dougherty has been irreparable.

WHEREFORE, the Plaintiff PATRICK DOUGHERTY prays for judgment against the Defendant QUARRYVILLE RESORTS LP dba YOGI BEAR'S JELLYSTONE PARK CAMP-RESORT OF QUARRYVILLE, PENNSYLVANIA that:

a. Quarryville Resorts and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Quarryville Resorts be required to pay Dougherty his actual damages and Quarryville Resorts' profits attributable to the infringement, or, at Dougherty's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Dougherty be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Dougherty be awarded pre- and post-judgment interest; and

e. Dougherty be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Dougherty hereby demands a trial by jury of all issues so triable.

Dated: June 10, 2025

Respectfully submitted,

/s/ Joseph A. Dunne

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